**Preliminary Statement of Work (PSOW)**
**Storm Water Operations and Maintenance (SWO&M)**

## A. Background

The City of San Diego operates and maintains an extensive storm water management system to convey storm water and urban runoff for the purpose of reducing flood risk. This fulfills the mandate of Section 26.1 of the San Diego City Charter to provide essential public works and public health services. The storm water management system includes nearly 700 miles of drainage pipes, 84 miles of drainage channels, over 48,000 storm drain structures, and 15 pump stations. These facilities are distributed over a 342.4 square-mile metropolitan area that is divided into seven watersheds, or drainage areas. In addition, the protection and improvement of water quality is often achieved through the performance of flood control.

The City's Transportation & Storm Water Department's (T&SWD) Section conducts and manages the operation and maintenance efforts for these facilities. The Section's flood control responsibilities are intended to protect life and property from potential hazards such as flooding during rain events; or sink holes and erosion caused by problematic drainage structures. The Section is also responsible for the engineering, planning, and reporting efforts needed to fulfill federal, State, and local environmental regulatory requirements associated with the Section's operation and maintenance activities.

The City's T&SWD Pollution Prevention Inspections Section manages storm water inspections of industrial and commercial businesses, as well as City-wide treatment control structure Best Management Practices (TCBMPs). One of the functions of this section is implementing the inspection programs for industrial and commercial facilities and TCBMPs. To meet these requirements, the City has hired a consultant to perform the required inventory and initial inspection functions.

***Storm Water Pollution Prevention (SWPP) Section (Industrial/Commercial and Treatment Control BMP (TCBMP) Inspections)***

Municipalities in San Diego County collect and discharge storm water and urban runoff through their storm water conveyance systems. The San Diego Regional Water Quality Control Board (Regional Board) issued the required National Pollution Discharge Elimination System permit (commonly referred to as the 'Municipal Permit') to local jurisdictions including the City of San Diego. This permit requires the implementation of programs to reduce pollutants in storm water and urban runoff. The Municipal Permit requires the City to inventory and inspect industrial and commercial businesses to prevent illegal discharges to the storm drain system. The current inventory of businesses subject to inspection is approximately 20,000. Every year, 25% of those businesses (approximately 5,000) are to be inspected for compliance with storm water standards.

The City is also required to annually track the installation and maintenance of TCBMPs, as well as perform inspections of them regardless of ownership for all TCBMPs within

the City's jurisdiction. For the past 10 years, the City has hired a consultant to meet these requirements.

***Storm Water Operations & Maintenance (SWO&M) Section***

SWO&M receives and responds to more than 8,000 service requests annually to maintain, repair, clean, and investigate public storm water facilities and inspect private ones. These requests are generated by the public, non-governmental organizations (NGOs), City Council offices, the Mayor's office, other City departments, and outside agencies. As a result, the Section removes and hauls away approximately 15,000-21,000 tons[1] of vegetation, sediment, trash, and debris from public storm drains (outlets and inlets), open channels, pump stations, culverts, and storm drain pipes each year. Intense rain storms and inclement weather, emergency repair efforts, as well as legal and permitting restrictions will drastically change the system's maintenance needs and fluctuate the Section's workloads and priorities.

The SWO&M Section's engineers, planners, and field personnel regularly investigate and respond to inquiries regarding deferred maintenance, system failures, risk management claims, and storm water infrastructure replacement strategies. The Engineering staff research, survey, design, and manage maintenance projects; the Planning staff obtain and ensure compliance with environmental permits and regulations; the field crews schedule, plan, and conduct the maintenance and operational functions of facilities. This work also includes numerous site visits, review of detailed plans and records regarding the storm drain and adjacent municipal systems; coordination with regulatory agencies; presentations before community organizations and reports to City Council. In addition, the SWO&M Section coordinates with other City departments and the City Attorney's Office to respond to drainage concerns and resolve drainage issues.

The SWO&M Section is also responsible for mobilizing City personnel to plan and respond to storm events. During the rainy season (typically October 1$^{st}$ to April 30$^{th2}$), SWO&M Section personnel are charged with assessing weather reports and determining the operational procedures appropriate for storm conditions. SWO&M Section staff must coordinate with other operational divisions and sections within the T&SWD to manage City-wide storm patrol duties.

These efforts, as described above, ensure the storm water management system works to convey storm water and urban runoff in an efficient manner and to minimize flooding for the protection of life and property.

[1] The amount of tonnage removed annually is dependent upon the Department obtaining the necessary environmental permits, as well as amount of material removed in order to restore the channel to its design capacity. Tonnage removed: FY2010 21,000 tons, FY2011 20,000 tons, FY2012 (estimated) 15,000 tons.
[2] This timeframe is defined by the San Diego Regional Water Quality Control Board. Based on the Transportation & Storm Water Department's experience, the significant rainfall does not typically begin until November.

***Regulatory Requirements***

In the mid-1990s, a State-wide initiative was passed to educate local governments about, and enforce compliance with, environmental regulations associated with the maintenance of storm water infrastructure. As such, specific maintenance and operational activities conducted by the Section are subject to extensive federal, State and local regulations such as the Clean Water Act (CWA), the National Environmental Protection Act (NEPA), the Endangered Species Act (ESA), the Coastal Act, the California Fish and Game Code, the California Porter-Cologne Act, the California Environmental Quality Act (CEQA), and the City of San Diego Municipal Code (SDMC), specifically, the Environmentally-Sensitive Lands Regulations. Furthermore, specific activities, such as mechanized dredging within U.S. waters or repairs to existing infrastructure within sensitive environmental resources, require discretionary permits or agreements from various federal, State, and local regulatory agencies such as the U.S. Army Corps of Engineers (ACOE), the U.S. Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service (FWS), the California Department of Fish and Game (CDFG), the California Regional Water Quality Control Board (RWQCB), the California Coastal Commission, and the City of San Diego Development Services Department (DSD) who may have jurisdiction over these resources. Staff is responsible for obtaining and maintaining compliance with all environmental regulatory permits including the implementation of biological, water quality, and other conservation and mitigation measures.

In 2008, the SWO&M Section's operation and maintenance functions were aligned with the Storm Water Pollution Prevention functions to facilitate both the planning and integration of flood control, as well as water quality goals and objectives.

The Municipal Permit requires each Co-permittee in San Diego County to identify and implement programs and procedures to protect and improve water quality. The effective operation and maintenance of the storm drain system is required by this permit. The Municipal Permit is updated every five years. On April 9, 2012, the RWQCB released an administrative draft of the 2012 Municipal Permit which includes proposed new requirements affecting the Section's operation and maintenance duties. Section D.3.A of the Permit requires the City to implement and maintain a minimum set of Best Management Practices (BMPs) for all municipal areas and activities. BMPs are structural control devices to treat polluted stormwater and include operational, or procedural, practices. BMPs are also referenced in Section 6.14 of the Urban Runoff Management Program approved by City Council in 2008.

In addition, the City must comply with a growing series of Total Maximum Daily Load (TMDL) requirements that set specific limits on the amount of pollution allowed to flow through and exit the City's storm drain system. The *Chollas Creek Dissolved Metals TMDL and the San Diego Region Beaches and Creeks Bacteria TMDL*, both developed by the RWQCB, require activities to be planned, implemented, and assessed during a 10 to 20-year TMDL compliance schedule. The City will also soon be subject to the *Los Peñasquitos Lagoon Sedimentation TMDL*. A comprehensive Load Reduction Plan for this TMDL will likely be due by the end of Fiscal Year 2013. The City will also have to

comply with over 40 additional TMDL orders scheduled to be implemented over the next few years. The SWO&M Section must assist in developing, implementing, and maintaining each newly-built structural "best management practice" designed to meet the load reduction levels required in these orders.

The City must also comply with recently adopted requirements associated with Areas of Special Biological Significance (ASBS). Because of these additional regulations, operation and maintenance efforts will have to be reviewed on a regular basis to ensure compliance with water quality standards. The State Water Resources Control Board approved a resolution on March 20, 2012 with terms, prohibitions, and special conditions to provide special protections for marine aquatic life and natural water quality in ASBS. Installation and maintenance of various controls and best management practices are required within six years in order to meet/maintain natural water quality standards. There are two ASBS in the San Diego region: the San Diego – Scripps (#31) ASBS (off the University of California San Diego campus) and the La Jolla ASBS (#29) (in La Jolla).

The final Statement of Work for the Request for Proposal document will require the service providers to adhere to all applicable federal, State, and local regulatory requirements for all of the functions subject to the competition, as those regulatory requirements now exist or as they may be amended during the contemplated five year agreement.

***Special Projects***

Storm Water System Master Maintenance Program (Master Maintenance Program)

Since the late 1990s, federal, State, and local regulation of the maintenance of open channel facilities has increased. As regulatory demands increased, the SWO&M Section was directed to take a programmatic approach to expedite and simplify the City-wide process to routinely maintain drainage channels that may potentially impact sensitive environmental resources. In response, the SWO&M Section developed the Master Storm Water System Maintenance Program (Master Maintenance Program) to govern the comprehensive environmental regulatory permitting processes to ensure maintenance activities would avoid, mitigate, and/or minimize effects on environmental resources. The City of San Diego's Planning Commission and City Council approved the Master Maintenance Program, Site Development Permit, and certified Programmatic Environmental Impact Report (PEIR) in accordance with local and State codes and regulations. Currently, Section staff is seeking approval of the other required resource agency permits which includes a CWA Section 404 Individual Permit and a NEPA Environmental Assessment from the U.S. ACOE; a CWA Section 401 Certification from the RWQCB; a California Fish and Game Code Section 1605 Streambed Alteration Agreement from the CDFG; and a Coastal Development Permit from the California Coastal Commission.

***Regulatory Requirements***

**Municipal Storm Water Permit.** The municipal storm water National Pollutant Discharge Elimination System (NPDES) Permit, issued to the City of San Diego by the San Diego Regional Water Quality Control Board, requires the implementation of programs to reduce pollutants in storm water and urban runoff.

The Department anticipates receiving the five-year permit in Spring 2013 pending approval by the Regional Water Quality Control Board.

**Master Permit.** At the 3/7/2012 California Coastal Commission meeting, the Commission instructed its staff to work with the City and the environmental groups to develop conditions that would be acceptable to all parties. Since then, City staff has met with the Regional Water Quality Control Board, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the California Department of Fish and Game, as well as various environmental groups. City staff is currently waiting for a response from the environmental groups that will detail the conditions they want in the Coastal Permit. Direction from the regulators indicated that they would only issue a five-year permit and that all mitigation for work in the Coastal Zone must be identified before a Coastal Permit is issued from the California Coastal Commission.

At this time, City staff anticipates returning to the California Coastal Commission on October 2012. If approved at that time, the City would be allowed to move forward with requesting permits; however, regulatory staff has indicated that they would not be able to issue these permits until 2013. Because of the endangered species regulations, these permits would not allow proactive dredging until September 2013. Any dredging that would occur before that time would have to be done under emergency permits.

**Affected Service Levels.** Due to the current status of the permits described above, future service levels cannot be specifically quantified. However, it is anticipated that the permits' requirements (both new and existing) will impact the following performance measures:

1. Lineal feet of storm drain pipes cleaned annually (#1)
2. Percent of storm drain structures cleaned annually (#2)
3. Percent of storm water permit required monitoring and reporting activities completed annually (#3)
4. Number of storm drain structures cleaned (#5)
5. Number of storm drain structures inspected (#6)
6. Number of permanent BMPs inspected and maintained (#7)
7. Number of headwalls cleaned (#8)
8. Channels cleaned(in square feet) (#10)
9. Amount of channel material removed (in cubic yards) (#11)
10. Number of industrial inspections done (#15)
11. Number of commercial inspections done (#16)
12. Number of Treatment Control BMP (TCBMP) inspections done (#17)

13. Number of Treatment Control BMP (TCBMP) follow-up inspections done (#18)
14. Number of annual inventories of industrial and commercial facilities performed (#19)
15. Number of Treatment Control BMP maintenance verifications done (#20)
16. Perform routine channel maintenance work as described in the adopted Storm Water System Master Maintenance Program and as permitted by the appropriate regulatory agencies (#23)
17. Perform emergency channel maintenance work as needed and permitted by the appropriate regulatory agencies (#24)
18. Provide engineering support and/or management services as required for all Storm Water-related maintenance and capital projects (Pollution Prevention and Operations & Maintenance work), development review efforts, drainage systems, and construction processes (#26)
19. Establish and maintain effective coordination of permitting processes involving all City departments and regulatory agencies with roles in storm water management or maintenance projects (#27)
20. Ensure compliance with all permits including all mitigation, monitoring, and reporting requirements (#28)
21. Perform all collection, management, and records production functions for data related to work performed under the agreement (#29)
22. Comply with all safety, hazardous materials management, and related requirements throughout the duration of the agreement (#31)

When all of the regulatory agencies approve and issue their associated permit/agreement(s) to the City , the planning phase of the Master Maintenance Program will require the preparation and review of site-specific individual assessments that will address hydrology/hydraulic, water quality, biological resources, cultural (historic) resources, and noise impacts that could result from anticipated annual maintenance activities. Subsequent annual authorizations from regulatory agencies will be required. During the actual maintenance efforts, the SWO&M Section will be required to comply with the conditions set forth in the various regulatory permits and agreements described above, as well as prepare and implement on-going monitoring, reporting, and mitigation efforts.

Assistance to Other City Departments

The SWO&M Section routinely assists other City departments and divisions with labor and equipment via Service Level Agreement(s) or other mechanisms. SWO&M Section crews are licensed and trained to operate heavy machinery and specialized equipment such as bulldozers, loaders, portable pumps, and vactors. They often assist the Park & Recreation Department with their drain cleaning and swimming pool maintenance; the Street Division with storm clean-up activities, such as removal of large fallen tree limbs in the public right-of-way and use of portable pumps; and the Public Utilities Department with drain maintenance after emergency water main breaks.

Public and Private Outreach, Assistance, and Coordination

The SWO&M Section also manages and implements projects that improve water quality and protect habitat in support of the regulatory requirements such as the Municipal

Permit. The SWO&M Section works in partnership with various non-governmental organizations (NGOs) to maintain sedimentation basins; restore lagoon mouth openings; and remove non-native vegetation and trash within City-owned or T&SWD-managed properties and drainage facilities. This includes issuing right-of-entry (ROE) permits to NGOs, such as Groundworks and I Love a Clean San Diego, for clean-up events; providing heavy mechanical equipment and SWO&M Section crews to assist the Los Peñasquitos Lagoon Foundation in maintaining sediment-laden areas; and the Tijuana River Valley Recovery Team to find grant opportunities to implement flood control and water quality projects in the Valley. Once the grant and/or ROE permit is secured, the SWO&M Section will coordinate efforts with these public and private entities to provide them with access to the City's natural storm water conveyance systems.

Storm Water Pollution Prevention Section Assistance and Coordination

The SWO&M Section also maintains newly-constructed, City-owned treatment control structures best management practices (TCBMPs) and low-impact development (LID) projects and infrastructure in support of water quality regulations. Many additional TCBMPs are planned for installation over the next 20 years and will become the responsibility of the SWO&M Section to maintain after construction. The number, type, and maintenance requirements are largely unknown as water quality requirements are dynamic in response to environmental conditions and an evolving regulatory framework.

The final Statement of Work for the Request for Proposal document will require the service providers to adhere to all applicable federal, State, and local regulatory requirements for all of the functions subject to the competition as those regulatory requirements now exist or as they may be amended during the contemplated five year agreement.

***Legal Issues/Impacts***

The City Attorney's Office has identified some legal limitations that preclude an outside entity from performing some of the Storm Water Operations and Maintenance functions on its behalf.

**Services Currently Contracted Out**

Some of the Storm Water Operations and Maintenance duties are already performed by private contractors under existing contracts. Managed competition may result in the early termination of these existing contracts. The City may be liable to contractors for early termination costs under the terms of the existing contracts.[3]

**Repair and Public Works Projects**

While maintenance of public facilities is eligible for managed competition, repair of public facilities is not (2011 City Attorney Report to Rules Committee (2011-35; Sept.

[3] Though the Department's recent contracts contain a 'termination for convenience clause', the City is liable for the contractor's wind-down costs in the event of early termination of a contract.

26, 2011)). The Charter requires that contracts for the repair of public facilities be awarded to the lowest responsible and reliable bidder (Charter § 94). The City cannot consider the relative qualifications of bidders when awarding a contract based on a low bid. The managed competition provision in the San Diego Charter - Charter § 117(c) - allows the City to hire private firms to provide "City services" under certain circumstances. The managed competition process involves the consideration of factors other than price, including efficiency, service quality, and the public interest (*Id).* Storm Water Operations and Maintenance involves the performance of both repair work and maintenance work. Frequent small tasks, such as cleaning storm drains and catch basins and routine upkeep of City-operated BMPs, are maintenance work. Larger, less frequent work, such as replacing major components of pump stations, reconstructing open channel drainage facilities to restore carrying capacity, and installing permanent BMPs, is repair (or construction) work. The different award criteria for repair work and maintenance work in the City Charter precludes the City from bundling all the work performed by Storm Water Operations and Maintenance into one contract. If repair work is awarded through managed competition to a contractor that did not bid the lowest price, the award would violate Charter § 94. Therefore, repair and maintenance must be awarded through separate contracts, and repair duties should not be included in the scope of work for managed competition.

Based on the legal limitations associated with Charter Section 94, the following work is excluded from Managed Competition and is considered to be out of scope:

- Repair or replacement of mechanical/electrical components of storm water pump stations and tide gates
- Repair or replacement of storm drain structure and pipe infrastructure
- Repair or replacement of open channel drainage facilities to restore carrying capacity

**Consultant Services**

There are two potential issues with including consultant services in the scope of work for managed competition. First, as is the case with public works contracts, there are specific requirements for awarding consultant contracts that are potentially at odds with the managed competition award criteria. Council Policy 300-07 requires that consultant contracts for performing work requiring professional licensing must be awarded to the "highest qualified" consultant. The managed competition process (based upon Charter § 117(c)) involves the consideration of factors other than the qualifications of the bidders including price, efficiency, service quality, and the public interest. Thus, the City Council would have to waive Council Policy 300-07 to include consultant services in the scope of work for managed competition that requires professional licensing.[4] Council Policy 300-07 does allow for costs and other factors to be considered for consultant work that does not require professional licensing. State and federal law also include requirements for awarding consultant contracts that apply in cases where the City is using State or federal funding. If consultant services were awarded using the managed competition criteria, then State or federal funding (that would otherwise be available) could be precluded.

[4] For Council Policy 300-07 to be waived, the Council would have to vote to waive it at a public meeting.

Second, a conflict of interest could arise under California Government Code Section 1090 and the City's Code of Ethics if a consultant were to perform all of the tasks related to Storm Water Operations and Maintenance. The problem arises where the same service provider is in both a program manager-type position (such as serving as a watershed asset manager or performing many of the tasks under "Operations Planning") and also implements that program.

Service providers who are hired to perform public functions are covered by Section 1090 which precludes a public officer or employee from participating in the making of a contract in which he or she is financially interested. A service provider would be considered to be participating in the making of a contract for purposes of Section 1090 when he or she is involved in preliminary discussions, planning, negotiations, compromises, and solicitation of bids for government contracts. The application of Section 1090 is extremely broad and is not limited to situations in which actual fraud or dishonesty is involved.

A service provider's participation in operations planning or acting as a watershed asset manager, and then implementing those programs, could potentially involve that service provider acting in his or her own interests rather than the best interests of the City. It is the opinion of the City Attorney's Office that a service provider who is involved in defining his or her own scope of work (such as planning how much or which maintenance projects should be completed, or developing plans to comply with regulatory orders where there is a significant degree of discretion involved) creates a conflict of interest under Section 1090.

Due to these potential Section 1090 issues, the Service Provider will not be asked to define his/her own scope of work or participate in the making of a contract in which he/she has a financial interest.

***Services***

The City of San Diego intends to acquire the services of a provider (City employees or outside vendor) to perform Storm Water Operations and Maintenance activities. These services will include:

| | **Activity** |
|---|---|
| 1.0 | Operations & Maintenance Activities |
| 1.1 | Pump Stations and Tide Gates (excludes repairing or replacement of mechanical/electrical components of storm water pump stations including tide gates) |
| 1.2 | Drain Structures (excludes repairing or replacement of storm drain structures and pipe infrastructure) |
| 1.3 | Channels (excludes repair and replacement open channel drainage facilities to restore carrying capacity) |
| 1.4 | Best Management Practices (BMPs) Structures |

| | Activity |
|---|---|
| 2.0 | Spoils Management |
| 3.0 | Environmental Permitting (excludes reporting and interaction with the regulatory agencies) |
| 4.0 | Emergency and Storm Patrol Duties |
| 5.0 | Administrative/Customer Service/Coordination |
| 6.0 | Municipal Permit Inspections |
| 6.1 | Commercial/Industrial Inspections |
| 6.2 | Treatment Control Best Management Practices (TCBMP) inspections |

Table 1: Work Breakdown Structure

## 1.0 Operations & Maintenance Activities

The Storm Water Operations & Maintenance (SWO&M) Section is responsible for performing operation and maintenance activities for the majority of the hard assets or drainage infrastructure within the City of San Diego. These assets, which make up the storm water conveyance system include, but are not limited to, storm drain pipes, culverts under roads, storm drain inlets and outlets, open channel facilities, a few natural creeks or rivers, tide gates, and pump stations. SWO&M staff is responsible for conducting daily inspections, as well as performing maintenance and repair on various types of drainage structures to determine if that asset is operating as designed. Operation and maintenance activities (as described below) are intended to protect the public's safety from flooding or drainage hazards and related risks, as well as achieve water quality objectives. In addition to these tasks, SWO&M staff responds to emergency drainage issues, performs storm patrol duties during rain events, and does daily administrative/customer service-related tasks.

## 1.1 Pump Stations and Tide Gates

The City of San Diego is responsible for the operation and maintenance of 15 storm water pump stations and six tidal flow gates (tide gates). The structural, mechanical, and electrical components of these facilities must be inspected, maintained, and repaired/replaced to ensure they are operating properly to prevent flooding in low-lying areas caused by storm water and/or high-tides. This work includes everything from exercising valves and cleaning wet-wells to the replacement of pumps, motors, and motor control centers. The City's storm water pump stations are primarily located west of Interstate-5 (I-5) with some in Mission Valley and other low lying areas. The six tide-gates are located north and south of Mission Bay Drive along Bayside Walk.

Work on these facilities is carried out by the Pump Station crew with support from the Engineering staff and the Drain Structure crew. The Pump Station crew is responsible for the operation (the opening and closing) of tide gates and portable pumps during high-tides to prevent flooding in low-lying beach areas. They are also responsible for managing and maintaining low-flow diversion structures located within pump stations while the SWO&M Section is responsible for the remaining low-flow diversion structures. Maintenance of these facilities is performed during standard working hours

throughout the year, but increases during the rainy season (typically October 1 – April 30). The rainy season is the only time of year the pump stations are at or near full capacity and any unscheduled cleaning or clogging issues must be addressed as soon as possible to prevent future flooding during the next storm event. Pump Station cleaning and maintenance has the potential of rendering a non-functional station either partially or fully operational. Work can get very intense during rain events with emergency repairs and maintenance being performed at any hour.

Due to legal limitations associated with Charter Section 94, work related to these facilities, such as repairing or replacement of mechanical/electrical components of storm water pump stations including tide gates, are not included in the scope of work for managed competition.

## 1.2 Drain Structures

The City of San Diego is responsible for the operation and maintenance of approximately 900 miles of storm drain pipe and over 27,000 storm drain structures located within the storm water system. In general, storm drain (or drainage) pipe(s) vary in material type, size, and location. While the City's inventory includes pipes as small as four-inches, the vast majority of them are at least 18-inches or larger. These pipes are typically constructed of reinforced concrete (RCP), but may also be corrugated metal (CMP), high-density polyethylene (HDPE) or polyvinyl chloride (PVC). The SWO&M Section is responsible for all storm drain pipes within the public-right-of-way, City-owned property managed by the Storm Water Division and recorded drainage easements dedicated to the City of San Diego. Drain structures maintained by SWO&M Section include, but are not limited to, curb inlets, cleanouts, culverts, headwalls, and the pipe itself. These drain structures are located throughout the City and vary in age from recently constructed to over one hundred years old. The Drain Structure crew and the Engineering staff are responsible for routine cleaning, maintenance, and repair/replacement of these pipes and structures. Additionally, Drain structure crews and Engineers perform operational inspections on new systems before they can be placed in the City's inventory.

Work on the drain structures includes routine cleaning, removal of obstructions, repair of damaged structures, and complete replacement of failed systems. In all cases, the Drain Structure crews and the Engineering staff visually inspect the drain pipes/structures or have them televised to determine the size, nature, and limits of the problem (SWO&M Section staff must be trained and certified in confined space entry to conduct these inspections). If the cause of a drain failure is not clear, the Engineering staff is tasked to determine the cause of the problem (e.g. the system is undersized or overloaded by an adjacent basin). The cleaning of drain pipes/structures involves routine removal of trash and debris and the eradication of obstructions lodged in pipes (hubcaps, 2x4's, etc). Crews typically perform cleaning and obstruction removal by hand (including the use of hand tools) or with the use of large vacuum equipment. If an obstruction cannot be removed by hand or with the use of a vacuum or jet system, the pipe/structure must be exposed, cut open, and the item removed. At that point, the pipe is repaired and the trench restored which may involve reestablishing the street and/or sidewalk. The repair

of damaged structures typically consists of concrete and steel work on curb inlets or grates, but could be on any part of the drainage system including channels and pump stations. The Drain Structure crews also complete the removal and replacement of failed storm drain pipe. This ranges from replacing small portions of pipe (typically 8 feet) up to entire lengths between two drainage structures. Excavation related debris removal and pipe repair requires heavy mechanical equipment and must be supported by the Channel crew.

Beyond the routine maintenance, the Planning staff assists the crew by obtaining the necessary regulatory permits (e.g. Coastal Development Permit) required for any work in sensitive areas such as the Coastal Zone.

Routine inspections and cleanings are typically performed throughout the dry season (May through September) while the removal of obstructions is performed on an as-needed basis. Similar to the pump stations, maintenance occurs during standard working hours throughout the year, but increases during the rainy season and significantly increases when responding to emergencies or during storm preparation efforts.

Due to legal limitations associated with Charter Section 94, work related to these facilities, such as repairing or replacement of storm drain structure and pipe infrastructure, are not included in the scope of work for managed competition.

### 1.3 Channels

The City of San Diego is responsible for the operation and maintenance of approximately 84 miles of storm drain channels within the storm water system. Unlike storm drain pipes and structures, channels (including ditches) are typically open to environmental conditions and can be natural (earthen), partially improved (concrete or armored sides with earthen bottom), or completely improved (sides and bottom lined with concrete). They range in width from a few feet to approximately 100 feet and are typically 5-10 feet deep. These facilities are located throughout the City and vary in age from recently constructed to existing natural creeks and rivers.

Work on the channels is primarily performed by the Channel crew, but also includes support from the Drain Structure crew, the Planning staff, the Engineering staff, and the Pump Station crews. Routine channel inspections and minor trash and debris removal are typically performed throughout the dry season (May through September). However, the removal of sediment and vegetation (including trimming) is restricted by specific regulatory agency permit conditions that will preclude impacts to State and federally listed (endangered and threatened) breeding birds (typically February 15$^{th}$ to September 15$^{th}$) and water quality when heavy rains begin (typically by November 1$^{st}$). As such, channel maintenance must be performed during a few months out of the entire year and can be stopped by environmental conditions that change from year to year. SWO&M Section staff performs channel maintenance during typical working hours, but may be required to work extended hours or on weekends, as necessary. During emergency

situations, such as flooding, crews must perform work any time there is an imminent threat to life and property.

Channel maintenance is regulated by federal, State, and local agencies, including the U.S. ACOE, the U.S. FWS, the California RWQCB, the CDFG, the California Coastal Commission, and the City of San Diego's DSD. Therefore, the majority of activities must be authorized and be preceded by the Planning staff reviewing and obtaining all necessary permits (refer to the Environmental Permitting function below). Channel maintenance, which may include dredging, vegetation removal or trimming, and/or trash and debris collection, is performed to restore the channels' storm water conveyance capacity while minimizing flood risks; and adhere to the Municipal Permit and adopted TMDLs. The majority of open channels, typically natural creeks and rivers, also contain sensitive environmental resources such as wetland vegetation.

Channel inspections are necessary to document conveyance capacities that may be impaired by accumulated sediment, vegetation, trash and/or debris. If any channel activity has the potential to impact sensitive environmental resources, the Planning staff may investigate further to determine if a regulatory permit is required or a resource agency needs to be notified before any maintenance activity is conducted. Once a regulatory permit (or permits) is issued (or work is authorized by a regulatory agency), the Channel crews can remove or trim obstructions within open channels by hand, using hand tools, small mechanical equipment, or while using small to large equipment such as skid-steers, bulldozers, gradalls, etc. When conducting channel maintenance activities, the Channel crews must comply with all conditions set forth in the various regulatory permits to avoid, minimize, and/or mitigate identified impacts on environmental resources. The Engineering staff offers construction support throughout the process by providing design work, cost and time estimates, engineering drawings, surveying support, and the acquisition of materials, equipment, and specialty contractors.

In addition to maintenance and repair activities, the Channel crews are responsible for graffiti abatement and managing transient removal efforts located within drainage facilities on City-owned property managed by the Storm Water Division and/or recorded drainage easements dedicated to the City of San Diego. SWO&M staff coordinates with the City's Police Department and Environmental Services Department to protect the public's safety and restore the facilities' visual aesthetics.

Due to legal limitations associated with Charter Section 94, work related to these facilities, such as repairing or replacement of open channel drainage facilities to restore carrying capacity are not included in the scope of work for managed competition.

### 1.4 Best Management Practices (BMP) Structures

The City of San Diego is responsible for the operation and maintenance of permanent post-construction TCBMPs. There are currently 26 City-owned TCBMPs that SWO&M maintains, but the number is continuing to grow due to: 1) new TCBMPs installed in the City's right of way by Capital Improvement Projects (CIP) to comply with the Municipal

Permit hydro-modification and treatment control requirements; 2) additional watershed load reduction pilot projects are coming on line annually; and 3) new structural BMPs may be constructed to meet TMDLs. In the past, the BMPs were mechanical (hydrodynamic separators and catch basin inserts), but in recent years, they have begun shifting to Low Impact Development (LID) (bio-retention and/or infiltration). These facilities are primarily located in areas of new development. However, many exist throughout the City. Their installation has been driven by regulatory requirements and are less than 10 years old. Work on these structures is usually performed by the Drain Structure crew and the Engineering staff; but as more of the LID-type TCBMPs come online, the Channel crews and their associated heavy equipment will be utilized. The TCBMPs are typically cleaned once per year prior to the rainy season with additional maintenance performed depending on the TCBMP and its pollutant loading.

During maintenance activities, SWO&M staff is also required to install and manage temporary BMP structures such as straw wattles, sandbags, etc., intended to protect water quality and environmental resources in conformance with the City's Storm Water Standards and Municipal Permit.

## 2.0 Spoils Management

The SWO&M Section must also manage, transport, and dispose of each activity's collected spoils and material which includes, but is not limited to, accumulated sediment, vegetation, trash, and debris to an appropriate disposal facility. The SWO&M Section manages spoils in various ways. Dry material that has been excavated or removed from a facility or structure can be hauled directly to an approved legal disposal site and wet material may require interim handling. Temporary stockpile areas can also be used to separate materials which can be recycled or transported to a greenery. Hazardous materials, such as tires, that crews have sorted and separated must be handled, hauled, and disposed of in accordance with federal, State and local requirements. Heavy periods of work are often the by-product of channel clearing during the fall and winter. However, debris is generated from drain cleaning year-round. This function can be very intense if permit regulations require work to be completed within restricted or limited timeframes. SWO&M staff is also responsible for weekly maintenance of the Chollas Operations Yard wash rack.

## 3.0 Environmental Permitting

As stated above, the majority of operation and maintenance activities are regulated by various federal, State, and local laws intended to protect and/or minimize impacts to environmental resources. These regulations include, but are not limited to the CWA, NEPA, ESA, Coastal Act, California Fish and Game Code, California Porter-Cologne Act, CEQA, and the SDMC. As part of the environmental permitting process, the SWO&M Section must work with the public, various stakeholders, NGOs, environmental groups, and several regulatory agencies (as referenced on page 3 under 'Regulatory Requirements') that are responsible to enforce those laws and may require a specific

permit/agreement and associated environmental document to condition an activity to avoid, minimize, and/or mitigate impacts.

The SWO&M Planning and Engineering staff is responsible for the interpretation and compliance with any applicable environmental permitting regulations and engineering conditions that the SWO&M Channel & Drain Structure crews are subject to when performing any operational repair, construction, and/or maintenance activity on or within City drainage facilities. The Planning staff provides technical support to crews to determine if proposed activities would require regulatory or environmental permits and the associated NEPA/CEQA document/determination. Once the Planning staff determines the proposed work is a regulated activity, they may assign specific technical work to their contracted consultants who are qualified to prepare reports or site-specific studies that may address a specific environmental resource such as biology, hydrology, water quality, air quality, noise, archaeology, paleontology, waste management, geology, visual and/or land use issues such as coastal resources. The Engineering staff assists with the development of maintenance plans which conform to environmental regulations and permit conditions. As subject matter experts, the Engineering staff can also advise on hydrology and water quality issues. Both the Planning and the Engineering staff will review these technical reports to ensure they are prepared in accordance with specific standards and guides acceptable and approved by each regulatory agency. The Planning staff will then package all necessary supporting information and process those permit applications (which include any technical reports) with each applicable federal, State, and local regulatory agency. Depending on the complexity of the proposed work, completion of the permit planning process may take a few months to several years.

When the necessary regulatory permit/agreement(s) are issued, the Planning and the Engineering staff is then responsible to implement and ensure compliance with all conditions set forth in each permit/agreement. The Planning staff may coordinate efforts with the Channel/Drain Structure crews and regulatory agencies to ensure environmental resources are protected. This may require staff or a qualified contracted consultant to monitor the work performed to ensure permits and regulations are followed and impacts to sensitive resources are avoided, minimized, or mitigated appropriately.

The majority of channel maintenance is typically restricted to a specific time of year to avoid and/or minimize impacts to sensitive animal species (usually birds). Each permit will specifically identify those restricted dates (typically between February 15$^{th}$ to September 15$^{th}$) to avoid and/or mitigate any potential impacts to threatened or endangered State/federally-listed species or their habitat. In addition, proposed work can also be prohibited during and after significant storm events which may cause hazardous conditions for crews and/or exacerbate impacts to water quality or other environmental resources. These restrictions must be complied with, and incorporated into, the project schedule.

Furthermore, the Planning and the Engineering staff is also responsible for the mitigation and reporting requirements set forth in the permit/agreement(s) issued by the regulatory agencies. Mitigation strategies and requirements vary based on the environmental

resource. For example, biological mitigation may require the creation/installation of a specific habitat type off-site; whereas, water quality mitigation may require the installation of BMPs (e.g. straw wattles, sandbags, etc.) during construction to offset impacts downstream. Reporting requirements may also vary based on what information needs to be tracked by each regulatory agency. One agency may require weekly reports and status of updates; whereas, another agency may require engineered (as-built) drawings documenting the work that was performed and completed. The regulatory agencies coordinate with the Planning and the Engineering staff to ensure these conditions are met and impacts to the environment are avoided or minimized appropriately.

In support of the City's need to conduct routine channel maintenance (which alleviates flooding risks), the Planning and the Engineering staff manage the development, review, and approval of the City's Master Storm Water System Maintenance Program (Master Maintenance Program) and its associated Program Environmental Impact Report (PEIR) with the regulatory agencies; the City of San Diego's DSD, the Planning Commission, and the City Council. The Master Maintenance Program is a programmatic project that outlines the requirements to conduct channel maintenance activities on an annual basis.

Under the Master Maintenance Program, the SWO&M Section will manage a master maintenance list based on priority criteria. This list will be compiled from various sources of data (notifications, route-slips, public input, risk management claims, and site inspections). Each fiscal year, the SWO&M Section will prioritize channel maintenance activities (priority channels) from this list, taking into consideration the Department's budget and resources. Each priority channel slated for maintenance will require the preparation of site-specific technical studies (individual assessments). The Engineering staff will review each priority channel's Individual Hydraulic and Hydrological Assessment(s) to develop Individual Maintenance Plan(s) (IMPs). The IMPs will include, but are not limited to, the facility's dimensions, maintenance methodology, access, staging, storage, type of equipment, manpower, spoil management, BMPs, and any other measures intended to minimize and protect environmental resources. The Planning staff will review technical studies, provide input on policy decisions, determine BMPs, and develop the scope(s) of work to ensure compliance with the Master Maintenance Program, PEIR, as well as any other regulatory and environmental permit requirements. These technical studies, IMPs, and proposed project scope(s) will be packaged together and submitted to the regulatory agencies for approval. If the regulatory agencies authorize work, the SWO&M Section staff and crews are then responsible to carry out the maintenance work prescribed, including the implementation of specific maintenance protocols and mitigation measures prior to, during, and after maintenance activities are conducted. The Planning staff is responsible for documenting and reporting the actual maintenance work that was completed to regulatory agencies, interested parties, and designated committees.

As part of the environmental permitting function, the Planning staff is also responsible for reviewing and commenting on public or private projects and their associated NEPA/CEQA documents which may affect infrastructure that SWO&M manages and

maintains. They must also coordinate with other City departments (e.g. Public Utilities, Park & Recreation, Development Services, Local Enforcement Agency); other federal, State and local agencies; and NGOs associated with environmental resource protection, establishing flood control agreements, and the protection of the City's/public's best interest. In coordination with the City Attorney's Office, the Planning staff reviews projects proposed by private citizens and other public entities to authorize work within City-owned drainage facilities. These projects, which require a ROE permit from the T&SWD, typically include special clean-up events held by NGOs and environmental groups.

Please note that work involved in the direct reporting to regulatory agencies will continue to be performed by City staff. Therefore, it is not included in the scope of work for this managed competition effort. Also, any interaction with the regulatory agencies must be coordinated with City staff.

## 4.0 Emergency and Storm Patrol Duties

The SWO&M Section has designated staff on-call during and after normal business hours to respond, assist, and manage emergency or storm patrol workflows. The primary purpose of this function is to protect the public's safety. During stand-by emergency and/or storm patrol duties, SWO&M staff monitors and responds to all drainage and flood-related emergencies including those caused by inclement weather (e.g. rainfall), man-made events (e.g. pipe failures, sink holes), or natural disasters (e.g. high tides). There are typically four to ten storms throughout the rainy season that require emergency and storm patrol responses, but intensity, duration, and number of storms varies from year to year. In addition to rain storms, drainage system-related emergencies occur throughout the year which often threatens life and property.

During a typical emergency, such as flooding or a sinkhole opening in the public right-of-way, SWO&M crews secure the area by placing barricades and/or establishing traffic patterns directing traffic away from the hazard. The responsible Public Works Supervisor (PWS) will respond to the site and develop a plan to immediately relieve the flooding or temporarily address the problem to protect life and property.

During Storm Patrol periods, the responsible PWS will proactively dispatch SWO&M crews to patrol flood-prone areas within the City such as Mission Valley. SWO&M crews are responsible to close streets, remove obstructions that may be blocking drain inlets and could cause flooding. The Pump Station crews patrol and monitor the 15 pump stations to make sure the pumps are functioning as designed. They also monitor tide gates and, if necessary, set up temporary pumps in low-lying alleys in Ocean Beach, Mission Beach, Pacific Beach, and/or any other problem areas that may flood during a storm event.

The Engineering staff is responsible for providing construction and design support when an emergency drainage issue (e.g. sink holes or mudslides caused by damaged pipes) is identified. During Storm Patrol, the Engineering staff uses the opportunity to witness drainage systems conveying storm water. These events often uncover issues that would

be cost-prohibitive for technical analysis to uncover. The Engineering staff is called upon during prolonged, intense storm events to man pump stations or portable pumps when available working hours for primary staff have been depleted.

During emergency or storm patrol duties, the Planning staff is on-call to conduct site investigations, determine if resource or regulatory agencies need to be notified, and obtain the necessary authorizations from the federal, State, local agencies that may have jurisdiction over those resources to mitigate the risks associated with flooding when there is an imminent threat or loss of life and property. Staff is also responsible to assist and direct SWO&M crews in the field when emergency work is conducted to avoid and/or lessen impacts on environmental resources.

## 5.0 Administrative Tasks/Customer Service

The SWO&M Section is responsible for performing administrative and customer-service related tasks such as determining drainage system ownership, contract management, prioritizing work, reporting, plan-checking public storm water facility designs, as well as recording and documenting work performed by crews. Staff must respond to drainage-related inquiries such as Service Notifications (SNs) and route slips from public or private entities (e.g. residents, regulatory agencies, environmental groups, or NGOs). They also assist and coordinate with other City departments and divisions, other federal, State, and local agencies, and NGOs to address drainage issues. Staff provides support to Department management, as well as the City Attorney's Office while investigating and responding to issues related to Risk Management claims, SNs, lawsuits, and Public Record Act requests.

Administrative tasks include preparing vendor specifications, procurement of parts, supplies, and equipment through the City's purchasing system, and project management functions associated with managing contracts and consultants. Staff negotiates consultant scopes of work and budget for environmental consultant support related to environmental permitting and construction/maintenance work that requires specialized or qualified technical support.

The SWO&M Section must coordinate with the Storm Water Pollution Prevention Section staff to ensure compliance with RWQCB's Municipal Permit requirements, water quality regulations, and related policies. To meet the Storm Water Division's mission statement, SWO&M supervisory staff has been assigned to specific watersheds to serve as co-Watershed Asset Managers and subject matter experts.

In addition, staff works with the City Attorney's Office by serving as witnesses in matters involving litigation against the City for all Storm Water operations and maintenance-related activities. This does not include the hiring of outside consultants, expert witnesses, or legal advisors.

## 6.0 Industrial/Commercial and Treatment Control BMPs Inspections

One component of the Municipal Permit is the Industrial and Commercial Inspection Program. This program is meant to prevent the discharge of pollutants from industrial and commercial facilities to the creeks, streams, lakes, bays, and the ocean in the San Diego region. Under this program, the City is required to annually inventory, inspect, document, and report on all designated industrial and commercial facilities within its jurisdiction.

An additional requirement of the Municipal Permit is to implement the City's program for tracking the installation, maintenance, and performing inspections of treatment control best management practices (TCBMPs). The City is required to annually update the inventory and condition of TCBMPs regardless of ownership.

## 6.1 Commercial/Industrial Inspections

The Municipal Permit requires the City to inspect industrial and commercial businesses within its jurisdiction to prevent discharges of pollutant to the Municipal Separate Storm Sewer (MS4) in accordance with the Municipal Permit and the SDMC (§43.03). The City hired an engineering firm to perform the tasks required to meet the City's industrial and commercial inspection requirements.

An annual inventory and prioritization of all businesses within categories defined by the Municipal Permit is conducted. The City is then required to annually inspect all high priority businesses or 25% of the inventory, whichever is higher (approximately 5,000 currently). The City maintains a database to track this information.

Inspections that meet the minimum requirements of the Municipal Permit are conducted throughout the year. Businesses that require enforcement are referred to City staff. Reporting to the City is conducted on a monthly basis with an annual report that includes Jurisdictional Urban Runoff Management Plan (JURMP) reporting text.

## 6.2 Treatment Control Best Management Practices (TCBMP) Inspections

The City is required to inventory and verify operation and maintenance of approved TCBMPs within the City regardless of ownership. These TCBMPs were installed to meet the City's Standard Urban Storm Water Mitigation Plan (SUSUMP) requirements. The City hired an engineering firm to conduct inspections of sites with TCBMPs.

The City's TCBMP inspection program consists of three major components: inventory maintenance, site inspection, and project maintenance self-verification by each responsible party. The City maintains a TCBMP database to collectively track this information.

Each project included in the City's TCBMP inventory is assigned a threat to water quality priority of high, medium, or low. The Municipal Permit requires inspection of all high threat to water quality sites and 50 percent of projects that have at least one drainage insert each year. Other sites are inspected on an as needed basis. Non-compliant sites are referred to the City for enforcement as necessary.

**Additional Services**

In addition to the services described above, the service provider will be expected to perform the following:

1. Provide personnel and equipment in emergency situations to other City departments, such as Fire-Rescue, Police, and the Office of Homeland Security, as part of the City's Search & Rescue Team.

***Workload Data/Service Levels***

The Preliminary Statement of Work documents current service levels for the functions subject to competition. This information is presented to the City Council for consideration and public comment to assure all parties that no degradation of service levels will occur as a result of the competition.

Per the request of the City Council and IBA, three years' worth of *reasonably available* performance measurement data for the Storm Water Operations and Maintenance function performance measures has been included below. These performance measures are derived from a variety of sources – the Transportation & Storm Water Department budget narrative (found in the City's Proposed and Annual Budget documents), existing division records/reports for metrics tracked internally, as well as the preparation work involved in developing this Preliminary Statement of Work which helped identify workload and service level information for in-scope activities.

Please note that the FY2012 figures found in the 'Service Level' column represent the Department's current service levels. The data for FY2010 and FY2011 have been provided for context.

| | Storm Water Current Measures | Service Level[5] | Timeliness/ Response Time |
|---|---|---|---|
| 1 | Lineal feet of storm drain pipes cleaned annually[6] | 13,481 (FY2010)<br>13,848 (FY2011)<br>15,011 (FY2012) | 80% Urgent (within 1 business day);<br>20% Routine |
| 2 | Percent of storm drain structures cleaned annually[6] [7] | 93% (FY2010)<br>94% (FY2011)<br>N/A (FY2012)[7] | Routine (as scheduled/directed) |
| 3 | Percent of storm water permit required monitoring and reporting activities | Not readily available (FY2010) | Routine (as scheduled/directed) |

[5] The service level 'Yes-100%' indicates that the tasks associated with this measure are being done and is not necessarily indicative of the amount or level of work being done.

[6] The current service level for items #s 1, 2, 3, 5, 6, 7, 8, 10, 11, 15, 16, 17, 18, 19, 20, 23, 24, ~~25~~, 26, 27, 28, 29, and 31 would be affected by the receipt (or denial) of the Municipal Permit and Master Permit.

[7] This is work performed by contract and is tasked with cleaning 100% of all of the drains annually per the City's permit.

| | Storm Water Current Measures | Service Level[5] | Timeliness/ Response Time |
|---|---|---|---|
| | completed annually[6] | Not readily available (FY2011)<br>100% (FY2012) | |
| 4 | Amount of ~~gunite and~~ concrete placed to repair storm drain infrastructure (in square feet) [8] | ~~1,064~~ 5,321 (FY2010)<br>~~686~~ 3,431 (FY2011)<br>~~800~~ 1,607 (FY2012) | ~~Urgent (within 1 business day)~~ Urgent 20%[9] (within 1 business day); Routine 80% (as scheduled/directed) (critical drains need to be cleaned between July and October) |
| 5 | Number of storm drain structures cleaned (includes work performed by City staff and external contractors)[6] | ~~5,605~~ 15,092 (FY2010)<br>~~5,390~~ 15,415 (FY2011)<br>~~5,583~~ 15,890 (FY2012) | Urgent 20%[9] (within 1 business day); Routine 80% (as scheduled/directed) (critical drains need to be cleaned between July and October) |
| 6 | Number of storm drain structures inspected (includes work performed by City staff and external contractors)[6] | ~~5,482~~ 33,189 (FY2010)<br>~~4,880~~ 26,907 (FY2011)<br>~~4,976~~ 28,873 (FY2012) | Routine (as scheduled/directed) |
| 7 | Number of permanent BMPs inspected and maintained[6] | 26 (FY2010)<br>26 (FY2011)<br>26 (FY2012) | Routine (as scheduled/directed) (must be completed between July and October) |
| 8 | Number of headwalls cleaned[6] | 424 (FY2010)<br>148 (FY2011)<br>238 (FY2012) | Routine 90% (as scheduled/directed); Urgent 10% (within 1 business day)[9] |
| 9 | Number of tide-gates operated | 101 (FY2010)<br>179 (FY2011)<br>181 (FY2012) | Urgent (within 1 business day) |
| 10 | Channels cleaned (in square feet)[6] [9] | 440,150 (FY2010)<br>102,002 (FY2011)<br>113,858 (FY2012) | Urgent 50% (within 1 business day); Emergency 10% (within 1-2 hours); |

[8] Portions of this measure pertain to work that is considered to fall under Charter 94 and therefore excluded from Managed Competition.

[9] Variability based on rainfall.

| | Storm Water Current Measures | Service Level[5] | Timeliness/ Response Time |
|---|---|---|---|
| | | | Routine 40% (routine maintenance may increase upon issuance of environmental permits) (as scheduled/directed) (vegetation and sediment removal may be limited by bird breeding season from September 15th through February 15th; additionally, rainy season delays may occur between October 1st and April 30th) |
| 11 | Amount of channel material removed (in cubic yards)[6 9] | Not readily available (FY2010)<br>Not readily available (FY2011)<br>750 (FY2012) | Routine 95% (as scheduled/directed); Urgent 5% (within 1 business day) |
| 12 | Number of Storm Patrol responses (by each ~~job~~ Service Notification (SN))[9] | 37 (FY2010)<br>202 (FY2011)<br>124 (FY2012) | Urgent 85% (within 1 business day); Emergency 15% (within 1-2 hours) |
| 13 | Number of hours of Storm Water Pump Station work done[8] [10] | 1,601 (FY2010)<br>1,243 (FY2011)<br>1,913 (FY2012) | Routine 60% (as scheduled/directed); Urgent 25% (within 1 business day) Emergency 15% (within 1-2 hours) (wetwell cleaning must be completed between July and October) |
| 14 | Number of Notices of Violation received from regulatory agencies | 0 (FY2010)<br>0 (FY2011)<br>0 (FY2012) | N/A |
| 15 | Number of industrial inspections done[6] | 464 (FY2010)<br>624 (FY2011)<br>592[7] (FY2012) | Routine (as scheduled/directed) |
| 16 | Number of commercial inspections done[6] | 2,335 (FY2010) | Routine (as |

[10] The pump station crews also assist in channel clearing and perform the tide gate operation. Additionally, 25% of their work is replacement and repair (not eligible for Managed Competition).

| | Storm Water Current Measures | Service Level[5] | Timeliness/ Response Time |
|---|---|---|---|
| | | 2,183 (FY2011)<br>2,258 (FY2012) | scheduled/directed) |
| 17 | Number of Treatment Control BMP (TCBMP) inspections done[6] | 328 (FY2010)<br>242 (FY2011)<br>241 (FY2012) | Routine (as scheduled/directed) |
| 18 | Number of Treatment Control BMP (TCBMP) follow-up inspections done[6] | 235 (FY2010)<br>105 (FY2011)<br>89 (FY2012) | Routine (as scheduled/directed) |
| 19 | Number of annual inventories[11] of industrial and commercial facilities performed[6] | 2 (FY2010)<br>2 (FY2011)<br>2 (FY2012) | Routine (as scheduled/directed) |
| 20 | Number of Treatment Control BMP maintenance verifications done[6] | 892 (FY2010)<br>707 (FY2011)<br>722 (FY2012) | Routine (as scheduled/directed) |
| 21 | Maintain and provide appropriate equipment, staff, and supervision for emergency response needs 24 hours daily ~~through the duration of the agreement~~ | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 22 | Maintain, provide, deploy, and operate barricades and portable pumps when imminent rainfall conditions indicate the potential for localized flooding | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 23 | Perform routine channel maintenance work as permitted by the appropriate regulatory agencies[7] | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 24 | Perform emergency channel maintenance work as needed and permitted by the appropriate regulatory agencies[6] | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 25 | Maintain and operate heavy equipment as needed to support other activities ~~required in this agreement~~ | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 26 | Provide engineering support and/or management services as required for ~~all~~ Storm Water-related maintenance and capital projects (Pollution Prevention and Operations & Maintenance work), development review efforts, drainage systems, and construction processes[6] | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 27 | Establish and maintain effective coordination of permitting processes involving ~~all~~ City departments and regulatory agencies with roles in storm | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |

[11] There is one inventory done for industrial facilities and one done for commercial facilities every year.

| | Storm Water Current Measures | Service Level[5] | Timeliness/ Response Time |
|---|---|---|---|
| | water management or maintenance projects[6] | | |
| 28 | Ensure compliance with all permits including all mitigation, monitoring, and reporting requirements[6] | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 29 | Perform ~~all~~ collection, management, and records production functions for data related to work performed ~~under the agreement~~[6] | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 30 | Provide personnel and systems needed to accept and process service requests ~~from all sources identified in the agreement~~ | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 31 | Comply with all safety, hazardous materials management, and related requirements[6] ~~throughout the duration of the agreement~~ | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 32 | Provide equipment and staff for emergency responses and other tasks requested by outside departments or agencies as approved in advance by the Storm Water Operations & Maintenance Section Public Works Superintendent | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |
| 33 | Perform graffiti removal requests for drain structures, pump stations and channel facilities | Yes-100% (FY2010)<br>Yes-100% (FY2011)<br>Yes-100% (FY2012) | As ~~needed~~ required |

Table 2: Current Service Levels (based on FY2012 actuals)[12]

### *Locations and Operating Hours*

The functions described above are currently provided from the location listed below during the noted regular hours of operation Monday through Friday except for the emergency response which is provided 24 hours, seven days a week.

| Service | Location | Hours of Operation |
|---|---|---|
| Operations and Maintenance | 2781 Caminito Chollas | 7:00 am to 3:30 pm |
| Municipal Permit Inspections | 9370 Chesapeake Drive | 8:00 am to 5:00 pm |

### *Technical Delivery Standards*

The City of San Diego expects that the service provider (City employees or outside vendor) will perform these services while adhering to all federal, State, and local laws, and regulations, as well as the technical standards from the following guides as these requirements now exist or as they are amended during the contemplated five years of the agreement:

[12] The FY2012 figures found in the 'Service Level' column represent the Department's current service levels.

1. City of San Diego Standard Drawings - 2006
2. Standard Specifications for Public Works (Green Book – 2009 Edition and White Book – 2010 Edition)
3. Manual on Uniform Traffic Control Devices
4. City of San Diego Drainage Design Manual - 1984
5. City of San Diego Driver Operator Manual
6. California Occupational Safety and Health Act (CalOSHA) of 1973, Guide to Developing Your Workplace Injury and Illness Prevention
7. National Electrical Code – 2011 Edition
8. Section 7058 of the Business and Profession Code, Labor Code Section 3099 (c) (Electrical C-10 licensed)
9. National Fire Protection Association 820 – 2012 Edition
10. Jurisdictional Urban Runoff Maintenance Plan - Section 6.14.3
11. San Diego Regional Water Quality Control Board (RWQCB) Order No. R9-2007-0001
12. National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0108758
13. Urban Runoff Management Plan, 2008
14. California Vehicle Code, Section 21400 the California Manual on Uniform Traffic Control Devices for Streets and Highways, (September 26, 2006)
15. Commercial Driver License Requirements (California Vehicle Code Section 15250)
16. CA Code of Regulations, Title 8, Section 5157 - Confined Space
17. Commercial Driver License Med0069cal Eligibility
18. California Department of Transportation Drug-testing Program (Alcohol/Drugs). Employer Pull Notice EPN Program General Information
19. Service provider shall abide by all applicable local, State and federal laws, rules and regulations (e.g., all Heavy Truck Drivers, Vacuum Truck Operators, and Equipment Operators shall possess the appropriate drivers license class (A or B), and any necessary endorsements (i.e. tank or air-brake).
20. All equipment and heavy trucks will be operated by a qualified operator.
21. Ensure that operators of all heavy trucks and equipment have received all training in the care, operation, and operator maintenance of each type of City-owned equipment including adherence to any manuals documenting the maintenance needs of each type of vehicle.
22. All heavy equipment must conform to all Clean Air Resources Board requirements.
23. Engineering, biological, and planning functions must be performed by individuals with the technical training and certifications required to conduct this work in a proficient, professional manner.
24. Storm Patrol Manual[13]
25. Storm Drain Emergency Manual
26. National Incident Management System Training Program (September 2011)

[13] It is the Transportation & Storm Water Department Superintendent responsibility to make call/determination per Manual.

27. Storm Water System Master Maintenance Program and Program Environmental Impact Report Mitigation, Monitoring and Reporting Program (including requirements in the PEIR and Master Maintenance Plan)
28. Clean Water Act of 1977 §§ 303, 401, 404; 33 U.S.C §1251 et seq.
29. River and Harbors Act of 1824 §10
30. Endangered Species Act of 1973 §§7 and 10, 7 U.S.C §136, 16 U.S.C §1531
31. Coastal Zone Management Act of 1972, 16 U.S.C § §1451-1464
32. National Environmental Policy Act of 1969, 42 U.S.C §4321 et seq.
33. California Environmental Quality Act of 1970, Public Resources Code §21000 et seq.
34. California Fish & Game Code §1600, 1-1-2004
35. San Diego Municipal Code (SDMC) including but not limited to:
    - §12.0604- Time Frame for Compliance: Time Frame One
    - §43.0301-Stormwater Management and Discharge Control
    - §54.0405 Graffiti Abatement
    - §66.0103 Disposal of Solid Waste, Hazardous Waste, Hazardous Substances, Medical Waste, Recyclable Materials; Liability for Expense for Cleanup
    - §66.0104 Transportation of Solid Waste
    - §51.0101 et seq. Public Emergency Procedures
36. SDMC Land Development Code (LDC) including but not limited to:
    - Chapter 11 Land Development Procedures
    - Chapter 12 Land Development Review
    - Chapter 13 Zones
    - Chapter 14 General Regulations
37. SDMC Land Development Manual including, but not limited to:
    - Biology Guidelines
    - Storm Water Standards
    - Landscape Standards
    - Historical Resource Guidelines
    - Deviations from Environmentally-Sensitive Lands Regulations within the Coastal Overlay Zone
    - City California Environmental Quality Act Guidelines
    - Steep Hillside Guidelines
    - Street Design Manual
    - Standard Drawings
    - Guidelines for Geo-technical Reports
38. Development Services Department Information Bulletin No. 510 - Public Project Assessments
39. Department of Homeland Security/ Federal Emergency Management Agency California Task Force 8 (CA-TF 8) requirements
40. Air Pollution Control District Guidance Document for Allowable Uses of Portable Equipment in San Diego County (July 2011**)**

***Service Provider Expectations***

Specific methods to measure and monitor service provider expectations will be included in the Statement of Work. These measures will be stored and tracked electronically and data will be audited regularly. Customer satisfaction rates will be tracked via survey or similar methods. The City currently has multiple surveys in place that can be used to track results.

Expectations for the service provider include:

1. Tracking requests, complaints, other feedback and when this information will be transmitted to the City.
2. Providing a communication plan to the City about service mishaps or delays and related remedies. The Division currently addresses this via communicating any mishaps or delays through their chain-of-command.
3. Developing, implementing, and maintaining customer survey mechanisms to solicit customer feedback and satisfaction related to services provided and activities performed.
4. ~~Fulfilling~~ Providing assistance with the reporting requirements of all applicable federal, State and local government regulations and permits to City staff.
5. Providing for continuity of operations and assisting in recovery efforts when needed during emergency situations
6. Providing emergency services 24 hours a day, seven days a week.

Please note that more detailed activity descriptions and requirements will be included in the Statement of Work that will be developed in preparation for issuing the Request for Proposals. All current functions will be described, but judgments will be made in the final SOW as to what is "in-scope" vs. "out of scope" based on market assessments and legal analysis. Some data is not made available in this public Preliminary Statement of Work document so as to maintain a level playing field between City employees and potential contractors.